

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FELIPE PEREZ,

Plaintiff,

-against-

E. BRYANT, ET AL.,

Defendants.

20-CV-0079 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, United States District Judge:

By order dated June 2, 2020, the Court directed Plaintiff, within thirty days, to either submit an amended application to proceed *in forma pauperis* (IFP), or pay the \$400.00 in fees required to file a civil action in this court.<sup>1</sup> Because it appeared that the Court's order was sent to an incorrect address, by order dated August 28, 2020, the Court directed the Clerk of Court to re-mail the order to the address on file for Plaintiff, and granted Plaintiff an additional thirty days from the date of that order to submit an amended IFP application or pay the fees. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an amended IFP application or paid the fees. Accordingly, the Court dismissed the complaint without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

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<sup>1</sup> At the time Plaintiff filed his complaint, the fees to file a federal civil action totaled \$400.00. Those fees were increased to \$402.00 as of December 1, 2020.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: February 10, 2022  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is positioned above a horizontal line.

COLLEEN McMAHON  
United States District Judge